

**MINUTES OF THE MEETING
OF THE
BOARD OF OCCUPATIONAL THERAPY**

July 20, 2005

CALL TO ORDER

Brenda Coppard, Chairperson, called the meeting of the Board of Occupational Therapy to order at 9.15 a.m., Wednesday, July 20, 2005, in Conference Room 6-Y, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of the Meeting Agenda prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services at least twenty-four (24) hours prior to the meeting.

Roll Call

The following Board members, HHSS Staff and visitors were present at the meeting:

Brenda Coppard, Chairperson
R. McLaren Sawyer, Consumer Member
Lisa Scheet, Professional Member

Diane Hansmeyer, Section Administrator
Delores James, Credentialing Coordinator
Donna Goldsberry, Temp. Credentialing Coordinator
Amy Lamb, Occupational Therapist
Ladonna Shippen, RAID (Entered at 10:20 a.m.)
Pat Gromak, Occupational Therapist
Monica Carey, Occupational Therapist

Absent: Christina Bueide

Adoption of the Revised Agenda

Sawyer moved, seconded by Scheet, to adopt the agenda as presented. Voting aye: Coppard, Sawyer and Scheet. Voting Nay: None. Bueide, absent and not voting. Motion carried.

Approval of Minutes

Scheet moved, seconded by Sawyer, to approve the board minutes for May 25, 2005. Voting aye: Sawyer, Scheet and Coppard. Voting Nay: None. Bueide, absent and not voting. Motion carried.

PROPOSED REGULATIONS

Physical Agent Modalities

Representatives from the Nebraska OT Association stated they're hearing concerns and questions from others in the OT profession regarding the deadline approaching, how to get certified and confusion about the process. Hansmeyer shared the process the Board and Department went through regarding the evaluation and selection of courses for the PAMs certification. The Department initially contacted 81 potential providers, most of them from the

OT Board Meeting

AOTA Website and sent an email or letter asking if they had a course for training people on physical agent modalities. The potential providers were given the objectives and asked to

submit information to the department as to how their courses meet the objectives. Out of the 81 contacted, 12 responded and 2 of those 12 indicated they did not have any courses that met the objectives. Out of the remaining 10, 1 withdrew, and 1 never provided any further documentation or information. Of the remaining 8, 5 did not respond to the Department's inquiries asking where the stated objectives can be found in the provider's submitted documentation. Three providers' courses were approved; Endura Care, PAMPCA, and Advanced Rehab Services.

Another concern was voiced about whether or not Endura Care's courses would be open to all licensees. Hansmeyer stated she would follow up with Endura Care to ensure that its courses are open to all licensees, and suggested adding that requirement to the proposed rules and regulations.

Hansmeyer provided a breakdown of the process from the time the proposed rules and regulations are submitted until they become effective and is anticipating that it will be 6-9 months before the proposed rules and regulations go into effect. After they go into effect, the Department will send out a letter to all licensees informing them that it is time to get certified. An application will be included with the letter.

Discussion ensued regarding changes in the proposed rules and regulations physical agent modalities section. It was decided that the following changes should be made:

Legal recommended not adding the July 16, 2004 date to the sections outlining certification based on training and instead recommended adding the words "or its equivalent".
Add the passing score of 75% to the sections pertaining to the Nebraska Physical Agent Modalities Testing Service examinations for demonstration of 5 years of experience.
Continue to require a transcript for certification based on education during a basic educational program and add the word "Successfully" to the start of the paragraph so that it reads "Successfully completing education during a basic education program".
Add definitions for Basic Educational Program, Superficial Thermal Agents, Deep Thermal Agents, and Electrotherapeutic Agents. Include additional contact information to the sections identifying approved courses. Add to the approval of physical agent modality courses section that courses must be open to all licensees.

The Board approved the other items that were added and also agreed to review future course submittals beginning with the effective date of the regulations and then on a semiannual basis after that time, rather than review six months after the regulations effective date. The Board also agreed that a person taking the Nebraska Physical Agent Modalities Testing Service Examination to demonstrate five-years experience would be able to take the test a second time if they failed the first time. A second failed test would require that the applicant obtain certification by the training method.

Motion to Approve the Modalities Regulations

Sawyer moved, seconded by Scheet, to approve the proposed regulations with the following changes: 1) Take out the July 16, 2004 date and add "or its equivalent"; 2) Keep the transcript as a requirement; 3) add the score of 75% or above; 4) add definitions for basic educational program, superficial thermal agents, deep thermal agents, and electrotherapeutic agents; 5) Add the statement that courses must be open to all licensees; and 6) Make minor changes to the application for certification. Voting aye: Scheet, Coppard and Sawyer. Voting nay: None. Bueide, absent and not voting. Motion carried.

Gromak asked if a jurisprudence examination could be used for continuing competency and Hansmeyer stated that this examination could be added to the continuing competency requirements for renewal.

The subject of a jurisprudence examination will be placed on a future agenda.

Lamb and Gromak left the meeting at 10:55 a.m.

Motion on Certification Application Fee

Sawyer moved, seconded by Coppard, to approve the fee of \$86.00 for each certification application. Voting aye: Coppard, Sawyer and Scheet. Voting nay: None. Bueide, absent and not voting. Motion carried.

Board members reviewed the workbook submitted from PAMPCA and agreed that it addresses the provision stated in the course approval letter.

The Board agreed that the approved courses could also be used to meet the continuing education requirements for renewal of a license. It was determined that it is not necessary to change the continuing education section of the current rules and regulations to include this information. Instead, licensees will be made aware of this in the letter that the Department will send to them after the rules and regulations become effective.

The Board also agreed that both a wall certificate and wallet certificate should be provided when licensees are certified to use physical agent modalities.

Hansmeyer asked the Board if they felt it was necessary to include the rules and regulations in the mailing to the licensees notifying them of the public hearing. The Board determined that it is not necessary to include them as they are available on-line or can be obtained through the Department for those who want them.

Goldsberry and Carey left the meeting at 11:15 a.m.

**INCLUDE AOTA CODE OF ETHICS
IN REGULATIONS (Attachment A)**

Coppard moved, seconded by Scheet, to add the code of ethics to the regulations

Motion on Code of Ethics (Attachment A)

Coppard moved, seconded by Scheet, to adopt the code of ethics and include it in the regulations.

Voting aye: Scheet, Coppard and Sawyer. Voting Nay: None. Bueide, absent and not voting.

Motion carried.

OLD BUSINESS

There was no old business.

MISCELLANEOUS

Schedule Next Board Meeting

The next board meeting will take place immediately after the public hearing on the regulations.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:40 a.m.

Respectfully submitted,

Christine Bueide, Vice-Chair